



Energy Fuels Resources

S/019/0065
cc: Tom
Task: 4323

August 19, 2011

Mr. Paul Baker
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

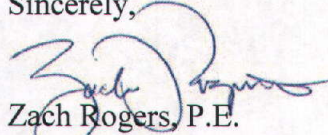
Re: Revised Notice of Intention to Conduct Small Mining Operations for the
Whirlwind Mine, DOGM Permit No. S/019/0065

Dear Mr. Baker,

Energy Fuels Resources, Inc. (Energy Fuels) is pleased to submit these revised pages to the Whirlwind Mine Notice of Intention to Conduct Small Mining Operations. The Whirlwind Mine is located in Grand County, Utah and Mesa County, Colorado. This revision is being submitted to add a Utah State Section to the mineral property and to add a meteorological station to the proposed surface facilities.

Please feel free to contact me at (303) 974-2151 if you need any additional information.

Sincerely,



Zach Rogers, P.E.
Environmental Engineer

Attachment

Cc: Frank Filas, Dick White (Energy Fuels)
William Stokes (Utah Trust Lands)
Angilique Diaz (EPA Region 8)
Jay Morris (Utah DAQ)
Rebecca Doolittle (BLM – Moab Field Office)

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DIV. OF OIL, GAS & MINING

Application to Revise a Notice of Intention to Commence Small Mining Operations or Exploration

Operator: Energy Fuels Resources Corporation			
Mine Name: Whirlwind Mine		File Number: EXXX / S/019/0065	
Provide a detailed listing of all changes to the Notice that will be required as a result of this change. Individually list all maps and drawings that are to be added, replaced, or removed from the Notice. Include page, section and drawing numbers as part of the description.			
DETAILED SCHEDULE OF CHANGES TO THE NOTICE			
			Description of map, text, or materials to be changed
ADD	<input checked="" type="checkbox"/> REPLACE <input checked="" type="checkbox"/>	REMOVE	Small Mine NOI (7 pages)
ADD	<input checked="" type="checkbox"/> REPLACE <input checked="" type="checkbox"/>	REMOVE	Figure 2 (1 page)
ADD	<input checked="" type="checkbox"/> REPLACE <input checked="" type="checkbox"/>	REMOVE	Figure 3 (1 page)
<input checked="" type="checkbox"/> ADD <input checked="" type="checkbox"/>	REPLACE	REMOVE	Attachment D (2 pages)
ADD	REPLACE	REMOVE	
ADD	REPLACE	REMOVE	
ADD	REPLACE	REMOVE	
ADD	REPLACE	REMOVE	
ADD	REPLACE	REMOVE	

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I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments and obligations, herein.

<u>Stephen P. Antony</u> Print Name	 Sign Name, Position	President/CEO
	<u>8/19/2011</u> Date	

Return to:

State of Utah
Division of Oil, Gas and Mining
Attn: Minerals Regulatory Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
Phone: (801) 538-5291 Fax: (801) 359-3940
P:\GROUPS\MINERALS\WP\FORMS\notices\Final\revision_SMO_EXP.doc

FOR DOGM USE ONLY:	
File #: <u>M/</u> / <u></u>	
Approved: _____	
Bond Adjustment: from (\$) <u> </u>	
to \$ <u> </u>	

Assigned DOGM File No.: S/O 1910065

DOGM Lead: Tom

Permit Fee \$ _____ Ck# _____

Task: 4323

**STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING**

1594 West North Temple Suite 1210

Box 145801

Salt Lake City, Utah 84114-5801

Telephone: (801) 538-5291 Fax: (801) 359-3940

NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

The information requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program (R647). The rules and Act are available online at <http://www.rules.utah.gov/publicat/code/r647/r647.htm> and http://le.utah.gov/~code/TITLE40/40_08.htm.

Cultural Resources Survey: To fulfill its obligations under Utah Code Annotated 9-8-404, the Division needs cultural resource (archaeology) information. The amount and type of information required will depend on the mine location, the history of previous disturbance, and other factors. Please contact the Division for further information.

A permit fee of \$150 or \$500 must accompany this application (Utah Code Ann. §40-8-7(1)(i)) and is due annually. The fee is \$150 for a mine with a disturbed area of five acres or less, and the fee is \$500 if the disturbed area is between five and ten acres.

"Small Mining Operations" are operations which have a disturbed area of ten or fewer surface acres at any time in unincorporated areas, or five acres or fewer in incorporated areas.

I. GENERAL INFORMATION (Rule R647-3-104)

1. Name of Mine: Whirlwind Mine
2. Operator Name (Legal Name): Energy Fuels Resources Corporation

Mailing Address: 44 Union Boulevard, Suite 600

City, State, Zip: Lakewood, CO 80228

Phone: (303) 974-2140 Fax: (303) 974-2141

E-mail Address: f.filas@energyfuels.com

Type of Business: Corporation (☒) , LLC (☐) , Sole Proprietorship (dba) (☐)
General Partnership (☐) , Limited Partnership (☐) , Individual (☐) .

Business Entity (not individuals) must be registered (and maintain registration) with the State of Utah, Division of Corporations (DOC) If not currently registered, contact www.commerce.utah.gov to renew or apply. Business Entity #: 6853864-0143

Local Business License #: _____ (if required)

Issued by: County: _____ or City: _____

3. Contact Person(s):

Registered Utah Agent (as identified with the Utah DOC) (if individual leave blank):

Name: Donn Pillmore Title: VP Arizona Strip Operations

Address: DMP Consulting, LLC, 460 E 300 South

City, State, Zip: Kanab, UT 84741

Phone: (435) 644-3125 Fax: (435) 644-3125

E-mail Address: dpillmore@energyfuels.com

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DIV. OF OIL, GAS & MINING

I.3. Contact Person(s) (continued):

This person to be notified for: permitting (☒) surety (☒) (check all that apply)

Name: Zach Rogers Title: Environmental Engineer

Address: 44 Union Boulevard, Suite 600

City, State, Zip: Lakewood, CO 80228

Phone: (303) 974-2151 Fax: (303) 974-2141

Emergency, Weekend, or Holiday Phone: (303) 916-8541

E-mail Address: zrogers@energyfuels.com

This person to be notified for: permitting (☐) surety (☐) (check all that apply)

Name: _____ Title: _____

Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

Emergency, Weekend, or Holiday Phone: _____

E-mail Address: zrogers@energyfuels.com

4. If Business is a Sole Proprietor (dba) or Individual:

Name of Owner: _____ Title: _____

Business Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

E-mail Address: _____

If Business is a Corporation:

Name of Officers: Stephen Antony Title: CEO/President

Name: Jeff Vigil Title: CFO

Name: _____ Title: _____

Name: _____ Title: _____

Headquarters Address: 44 Union Boulevard, Suite 600

City, State, Zip: Lakewood, CO 80228

Phone: (303) 974-2140 Fax: (303) 974-2141

E-mail Address: _____

If Business is a Limited Liability Company: Member Managed (☐) Manager Managed (☐)

Name of 1st Member/Manager: _____ Title: _____

Business Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

E-mail Address: _____

Name of 2nd Member/Manager: _____ Title: _____

Business Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

E-mail Address: _____

If Business is a Partnership:

Names of Partners: _____

Business Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

E-mail Address: _____

5. **Ownership of Land Surface:**

Private (Fee) () BLM (X) US Forest Service ()

State Trust Land/School Sections (X) State Sovereign Lands ()

Other (please describe):

Name BLM - Grand Junction Address 2815 H Road, Grand Junction, CO 81506

Name BLM - Moab Address 82 East Dogwood, Moab, UT 84532

Name Utah Trust Lands Address 675 E 500 South, Ste 500, Salt Lake City, UT 84102

Name _____ Address _____

6. **Ownership of Minerals:**

Private (Fee) () BLM (X) US Forest Service ()

State Trust Land/School Sections (X) State Sovereign Lands ()

Other (please describe):

Name BLM - Grand Junction Address 2815 H Road, Grand Junction, CO 81506

Name BLM - Moab Address 82 East Dogwood, Moab, UT 84532

Name Utah Trust Lands Address 675 E 500 South, Ste 500, Salt Lake City, UT 84102

Name _____ Address _____

BLM Claim Number(s): See Attachment A

Utah State Lease Number(s): ML49312

BLM/USFS Lease or Project File Number(s): _____

Name of Lessee(s): Energy Fuels Resources Corporation

7. **Have the above surface and mineral owners been notified in writing?** Yes X No _____

If no, why not? _____

8. **Does the Entity have legal right to enter** and conduct mining operations on the land covered by this notice? Yes X No _____

*Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration **prior** to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.*

II. **PROJECT LOCATION & MAP** (Rule R647-3-105)

1. **Project Location & Map** (legal description):

County(ies): Grand County

- 1/4, of - 1/4, of SW 1/4, Section: 9 (PB42) Township: 25S Range: 26E
NE 1/4, of SE 1/4, of NW 1/4, Section: 9 (PB42) Township: 25S Range: 26E
NE 1/4, of NW 1/4, of NW 1/4, Section: 16 Township: 25S Range: 26E

UTM East: _____ (if known) UTM North: _____ (If known)

Name of Quad Map for Location: _____

2. **Is the project within an incorporated area?** () Yes (X) No

If yes, what is the town or city? _____

3. **Location and Operations maps** must be plotted at a scale to accurately identify locational landmarks and operations details. All maps must include a north arrow, scale, appropriate labels, and title box including the mine name, township, range and section.
 - a. The **general location map** must be the scale of a USGS 7.5 minute series map or equivalent (1"=2000') and identify new or existing access roads.
 - b. The **operations map** (1"=200' or other scale as determined necessary by the Division) must be labeled and identify:
 - i. The area to be disturbed;
 - ii. The location of any existing or proposed operations including access roads, drill holes, trenches, pits, shafts, cuts, or other planned activities; and
 - iii. Any adjacent previous disturbance for which the operator is not responsible.(Contact the Division for a list of consultants and land surveyors for mapping assistance.)
4. The proposed (5 acre or less) disturbed area (including access/haul roads) should be marked ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

III. **OPERATION PLAN** (Rule R647-3-106)

1. **Type of mining:** Surface (☐) Underground (☒)
2. **Mineral(s) to be mined:** Uranium/Vanadium
3. **Amount of material** to be extracted, moved, or proposed to be moved: Maximum of 50,000 ton
per year to be removed from portals in Colorado
4. Will any **water, liquid chemicals, reagents, or other solutions** be used, produced or discharged as part of the mining or milling process? Yes (☒) No (☐) If yes, please describe (add extra pages if needed): Mine dewatering and treatment will occur at portals in Colorado in accordance with CDPS Permit No. CO-0047562 (Attachment C). No water discharges will occur in Utah.
5. Provide a brief **description of the proposed mining operation**, and onsite processing facilities (add extra pages if necessary). All on-site surface facilities will be located in Colorado with the exception of six ventilation shafts and one meteorological tower. Additional details regarding the ventilation shafts and meteorological tower are provided in Attachments B and D, respectively.
6. (☐) **New Road(s):** Length 0 (ft), Width (ft)
7. (☐) **Improved Road(s):** Describe improvements that need to be made to existing roads to access the site, including the Length 0 (ft) and Width (ft) **of new disturbances.**
8. Total project surface **acreage to be disturbed:** 1.39 (acres) PLEASE SPECIFY **EXACT** ACREAGE (this will be used to determine surety bond amount – see #VI).
9. Proposed **startup date** (month, year): September 2011
10. Proposed **completion**, if known (month, year): Not known

IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover or within practical limits. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining. Please refer to The Practical Guide to Reclamation in Utah, available at:

https://fs.ogm.utah.gov/pub/MINES/Coal_Related/RecMan/Reclamation_Manual.pdf.

1. *Keep the mining operation in a safe, clean, and environmentally stable condition.*
2. *Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.*
3. *Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.*
4. *Construct berms, fences, or barriers, when needed, above highwalls and excavations.*
5. *Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.*
6. *Remove all waste or debris from stream channels.*
7. *Dispose of any trash, scrap metal, wood, machinery, and buildings.*
8. *Conduct mining activities so as to minimize erosion and control sediment.*
9. *Reclaim all roads that are not part of a permanent transportation system.*
10. *Stockpile topsoil and suitable overburden prior to mining.*
11. *Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.*
12. *Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.*
13. *Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)*
14. *Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.*

V. VARIANCE REQUEST (Rule R647-3-110)

Any variance must be approved writing *in advance* by the Division

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above (see IV. Operation and Reclamation Practices Item # 1-14), should be identified below listing applicable rule number. Give justification for the variance(s) and alternate methods or measures to be utilized to meet the intent of the rule. Written approval from the Division will be given, if the proposed alternative methods to be used are consistent with the Act.

Are variances being requested? Yes () No (X)

Variance Requested

Item # Applicable Rule

Justification: _____

Alternate methods or measure to be utilized: _____

Attach additional page(s) if more variances are requested.

VI. SURETY (Utah Code Ann. §40-8-7(1)[c])

A reclamation contract and surety must be provided to and approved by the Division prior to commencement of operations. No surface disturbance is authorized until the surety is posted and approved in writing. The surety may be provided in the form of a certificate of deposit, a letter of credit, a surety bond, or cash. Please contact the Division for further information about submitting the surety. All mining operations are required to furnish and maintain reclamation surety to guarantee that the land affected is reclaimed (Utah Code Ann. §40-8-7(1)[c]).


The reclamation surety amount is based on the nature, extent and duration of operations. The amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions. Reclamation surety for small mines is reviewed every three (3) or five (5) years and adjusted as necessary for inflation/deflation based upon acceptable Costs Index. **Contact the Division for the dollar amount required for a three (3) or five (5) year period for this project.**

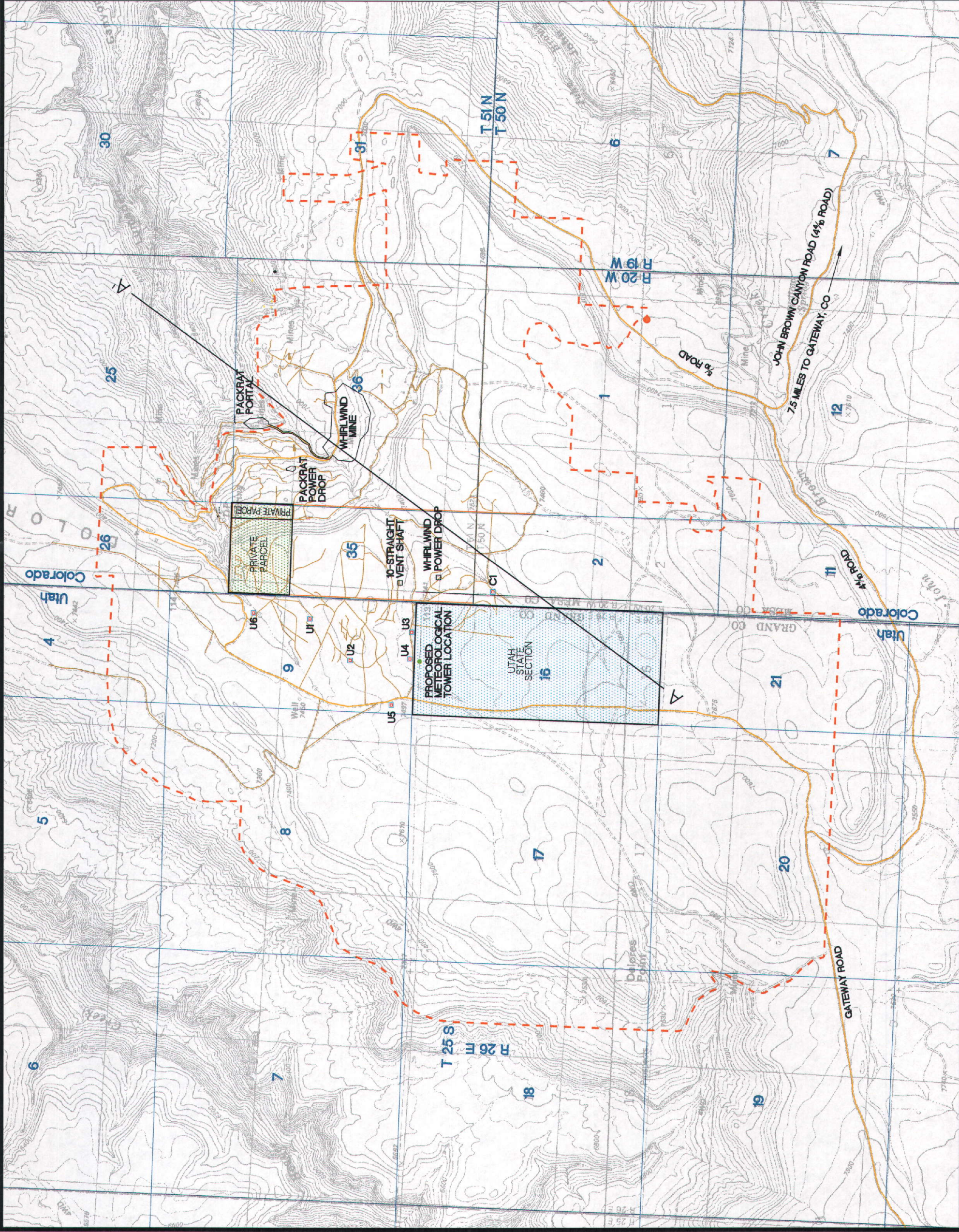
VIII. SIGNATURE REQUIREMENT

CERTIFICATION

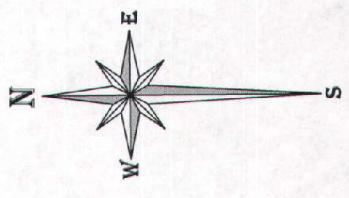
I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- b. I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- c. **This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; **or** (4.) the member or manager if applicant is a limited liability company.

Signature:  Date: 8/19/2011
Name (typed or printed): Stephen P. Antony
Title/Position (if applicable): Chief Executive Officer and President



- LIMIT OF UNDERGROUND MINING
- COUNTY ACCESS ROAD
- BLM ROAD
- PROPOSED VENT SHAFT
- EXISTING VENT SHAFT OR POWER DROP PAD AREA
- PROPOSED METEOROLOGICAL TOWER LOCATION
- LAND AND MINERAL RIGHTS NOT CONTROLLED BY ENERGY FUELS
- UTAH STATE SECTION



1000' 0 1000' 2000'
SCALE 1" = 2000'

NOTE: ORIGINAL MAP FROM
UMETCO TO CDPHE
AUG, 1995



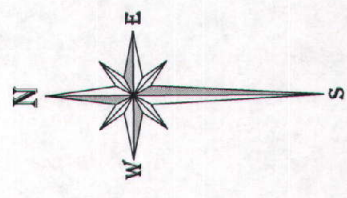
Energy Fuels Resources

FIGURE 2
WHIRLWIND MINE
PERMIT BOUNDARY

Location Section 9, T 25 S, R 26 E Created August 18, 2011 Drawn by ZTR



- COUNTY ACCESS ROAD
- BLM ROAD
- PROPOSED VENT SHAFT PAD AREA
- EXISTING VENT SHAFT OR POWER DROP PAD AREA
- PROPOSED METEOROLOGICAL TOWER LOCATION
- LAND AND MINERAL RIGHTS NOT CONTROLLED BY ENERGY FUELS
- UTAH STATE SECTION
- EXISTING MINE WORKINGS
- PROPOSED EXPANSION



NOTE: ORIGINAL MAP FROM
UMETCO TO CDPHE
AUG, 1995



Energy Fuels Resources

FIGURE 3
WHIRLWIND MINE
SITE PLAN

Scale	Section 9, T 26 S, R 26 E	Created	August 18, 2011	Drawn by	ZTR
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Attachment D

Meteorological Tower

Meteorological Tower Information

The meteorological tower (met tower) will be installed for the purpose of collecting site-specific wind speed and direction data to be used in modeling radon dose estimates to the nearest public receptor at the Whirlwind Mine in accordance with 40 CFR Part 61, Subpart B. The met tower will be 10 meters high and equipped with a wind monitor and data logger. Security for the tower requires installation of an 6-foot high chain link fence around the tower.

The proposed met tower location is on a Utah State Section, managed by the Utah School and Institutional Trust Lands Administration (SITLA, see Figure 1). The proposed met tower location is in a relatively large clearing, which is required to collect representative wind measurements. The location in this clearing was selected to optimize its distance from nearby obstructions (i.e., trees) that may interfere with wind patterns. Energy Fuels anticipates that the met tower will be constructed this fall.

A concrete foundation measuring approximately 5.5 square feet in area (2'4" x 2'4") and a depth of 4' will be constructed to support the tower. Prior to installation of the foundation, topsoil will be stripped to a depth of a minimum of 12 inches and the material will be stockpiled near the foundation for later use in reclamation. This small topsoil stockpile will be seeded since it will be present for a number of years.

The tower will have a triangular cross section measuring approximately 14 inches on a side at the base. Once the tower is installed, a wind monitor and data logger will be attached to it. This equipment is small in size and is attached directly to the tower. The equipment will be powered by battery and will not require external power. Fencing will be installed around the tower to deter damage and vandalism. The fencing will be 6-foot high chainlink fence measuring 8 feet by 8 feet.

Surface disturbance at each vent shaft is minimal and conservatively estimated to be less than 0.01 acres (equivalent to a 20-foot by 20-foot area) consisting of the tower foundation and fence. An access road will not be required as the tower will be located near an existing access road (100 to 200 feet north of the tower) and constructed by hand with aid of a small skid steer, causing minimal disturbance in a sparsely vegetated area.

Meteorological Tower Reclamation

Energy Fuels estimates that the met tower will cost approximately \$955 to reclaim. This estimated cost is based on removing the met tower, instruments, foundation and fencing. The resulting depression is then filled with soil and topped with topsoil. The area will then be seeded and mulched. The estimate assumes that the work will be completed with two laborers and a small skid steer.

Table D-1
Estimated Cost for Met Tower Reclamation

Description	Total Cost
Removal of Equipment and Foundation ^(a)	\$640
Disposal of Equipment and Foundation ^(b)	\$300
Seeding and Mulching ^(c)	\$15
Total	\$955

Notes:

- (a) Based on 1 hour of mobilization/demobilization, 2 hours to disassemble and cut the tower and fencing and 1 hour to dig out and remove concrete.
- (b) Based on 4 hours for one common laborer and typical disposal fees.
- (c) Based on 0.01 acre at \$1,500/acre, allowing for a 50% reseeding rate.